

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Plaintiff,

vs.

VIZIO, INC.,

Defendant.

Civil Action No. 1:12-cv-10900-DJC

**JOINT STATUS REPORT
AND REQUEST FOR INITIAL SCHEDULING CONFERENCE**

Plaintiff Massachusetts Institute of Technology (“MIT”) and Defendant VIZIO, Inc. (“VIZIO”), hereby submit this Joint Status Report pursuant to the Court’s directive contained in its electronic endorsement of March 13, 2013, approving the parties’ joint motion to reschedule the initial Scheduling Conference. (*See* Dkt. 32.)

The Court originally had scheduled the initial Scheduling Conference for March 25, 2013. Prior to that time, the parties were engaged in discussions directed to resolving the litigation, and scheduled a mediation for April 16, 2013. In light of the mediation, the Court granted the parties’ request to defer the initial Scheduling Conference until after conclusion of the mediation. The Court further requested that a joint status report be submitted by April 22, 2013 advising about the outcome of the mediation.

The parties hereby advise the Court that no resolution of the litigation was reached at the April 16, 2013 mediation. Therefore, the parties request that the Court place the initial Scheduling Conference back on calendar. The parties further request that, subject to the Court’s calendar, the initial Scheduling Conference occur May 27, 2013 or later to accommodate the

schedules and short term obligations of parties' counsel, and further to allow adequate time for the parties to meet and confer so that they may collaborate on the Joint Statement due one week prior to the scheduling conference, as provided by Local Rule 16.1.

**MASSACHUSETTS INSTITUTE
OF TECHNOLOGY**

By its attorneys,

/s/ Thomas F. Maffei

Thomas F. Maffei (BBO 313220)
Scott McConchie (BBO 634127)
GRIESINGER, TIGHE & MAFFEI, LLP
176 Federal Street
Boston, Massachusetts 02110
(617) 542-9900
tmaffei@gtmllp.com
smcconchie@gtmllp.com

Morgan Chu, *pro hac vice*
David Gindler, *pro hac vice*
Christopher A. Vanderlaan, *pro hac vice*
H. Annita Zhong, *pro hac vice*
IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067-4276
Telephone: (310) 277-1010

Dated: April 22, 2013

VIZIO, INC.

By its attorneys,

/s/ John C. La Liberte

John C. La Liberte (BBO #556046)
William M. Dunham (BBO# 672950)
SHERIN AND LODGEN LLP
101 Federal Street
Boston, Massachusetts 02110
(617) 646-2000
jclaliberte@sherin.com
wmdunham@sherin.com

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on April 22, 2013.

/s/ Thomas F. Maffei
Thomas F. Maffei